

## MISCELLANEOUS

### ITEMS OF INTEREST WHICH INTEREST EVERYBODY

In this Thriving City of Tombstone, And Which we Publish Daily To all who may favor us with their Subscriptions and Advertising

On and after October 1st, Wells, Fargo & Co's express company will discontinue their office at Charleston.

Just received at the Crystal Palace Saloon a carload of Lem's St. Louis beer, ice-cold on draught.

The Western Union Telegraph office at Charleston will be discontinued from and after October 1st.

The Crystal Palace Saloon will be ready to serve its customers with the finest of Lem's ice cold beer on draught.

The thermometer registered but 82 degrees at noon to day.

Just received at Ashmun & Walker's cigar store, a new lot of those celebrated Estrella cigars, 2 for 25 cents.

T. J. White, one of the leading ranch men on the San Pedro, arrived in this to-day. He never visits the city with out purchasing a large bill of goods.

Cigars, tobacco, pipes, knives, and in fact everything in the smoker's line, for sale at Ashmun & Walker's cigar store at reasonable prices.

Bob Darragh, the express messenger between this city and Benson, will leave to-morrow on a visit to California, and will be absent about one month. During his absence his place will be supplied by James Geary, who was formerly messenger on the same run.

The Navajos are a peaceful and reliable lot of Indians, really good Indians, though they are alive and acquainted with Indian ways. Why wouldn't it be a good plan to enlist a regiment of them to protect New Mexico and Arizona from the eruptive Apaches. The white troops in these territories seem utterly unable to keep the Apaches in, and them when they go out.—*Kansas City Journal*.

The Angler vouches for the effectiveness of the following mixture for keeping mosquitos away: "Olive oil, three parts; oil of pennyroyal, two parts; glycerine and ammonia, each one part. To be well shaken before applying to the face and hands. Avoid getting the mixture in the eyes."

When the east-bound train arrived at Benson yesterday Harry Stewart, the express messenger between Benson and Tucson, arrived with his bride. He was immediately escorted to his residence by his friends, and last evening he and his bride were the recipients of an elegant reception at the K of P hall, and many wishes for their future happiness and prosperity.

A correspondent of the St. Louis medical Journal writes: In 1859, while practicing in Madison county, Ill., I was induced by the representations of an old lady to make the trial in dysentery and diarrhea, of tablespoonful doses of pure cider vinegar, with the addition of sufficient salt to be noticeable, and it acted so charmingly that I have never used anything else."

The increasing frequency of neuralgic headache among women must have a cause. There is one of simplicity which has been overlooked, and one to which it is worth while to draw attention. The pain experienced is generally located in one or more of the branches of the second cervical nerve, very commonly those terminating in the scalp at the back of the head. The nerves are irritated by the hair being drawn tightly back and put on the strain, not as a whole, in which case the strain would be spread over a large area of the surface, but by small bundles of hair which are pulled back and held in place by hairpins. Relief is experienced by removing the hair pins, but this has only a temporary and partial effect. The injury done is lasting, if not permanent, in its consequences. The present style of dressing the hair should be discontinued, as it in part accounts for the prevalence of a form of suffering which is both irritable and distressing. If it were the fashion for women to wear the hair short instead of long and tied up, there would be less headache than there is.—*Herald of Health*.

### County Records.

The following instruments have been filed in the office of the County Recorder:

BRAND  
OF N. P. McCallum, X with bar under death, on hip and side.

### A Card.

**EDITOR DAILY TOMBSTONE:**—Your paper has at all times applied the "lash" in the cause of the people and on the side of justice. Now I wish to apprise the citizens of Tombstone of the wholesale fraud and robbery that is about to be inaugurated against them, by the proprietor of the Record Envelope, a called paper or nondescript sheet that is strutting for an existence in this city. George G. Berry has in years past handled the care of the townsite company and has succeeded in defrauding our people of their rights and their property, simply because he was backed up by a wealthy and unscrupulous gang of rascals who wished to draw the last drop of blood from an overburdened people he looted, that those scoundrels might grow rich from their hard earnings. Messrs. Berry & Co sold the lots at ridiculous prices to our settlers after obtaining a patent and a deed by fraud from a weak and vacillating mayor. Mr. Berry then proceeded by slow and methodical means to absorb the press of the city of Tombstone, and after three years of careful labor succeeded in gaining absolute control of the Record and shortly after the Epitaph, thus thinking he had the people in his grasp, and that he could deal with them at his pleasure, but think the Lord there was still at this time a small but vigorous paper doing duty at the town of Benson, known as the Benson Herald which soon took the session, and with commendable courage throughout the gauntlet in the city of Tombstone, and has grown from a babe to a full grown man full of life, courage and vigor. About the time that Berry first concocted this scheme of capturing the entire press of this city, Hon. W. H. Stillwell was the District Judge on the bench in this county, and knowing the Judge to be an incorruptible man, they at once proceeded to have him ousted from his position in which scheme they succeeded in consummating, much to the disgrace of the department of justice at Washington. After Mr. Stillwell's removal they, the townsite company, had W. W. Hoover, of San Jose, appointed in his stead in order to better carry out their nefarious transactions. Mr. Hoover brought with him to Arizona, a fellow by the name of Satterwhite whom he said was to work on the "outside" Hackl work on the "outside." This, he, Hoover, told Zebulon of Tucson. Now can any intelligent man conceive what Mr. Hoover, a Judge on the bench, would do to work the "outside" for. But the plot thickens, Hoover was removed for his corrupt practices and rulings and now holds him and his stilltive Satterwhite, pursuing the settlers of Tombstone for more blood, mostly in the so-called case of the Mountain Maid mining company.

Conduct our people see through all of this. Can you not see what Hoover was placed upon the bench of Arizona for? Is he not now receiving his share of the reward for his rulings on the bench; is he not now gathering to his share of the plunder. Also his man who was brought from San Jose to work the "outside?" Behold this unhappy mob, seeking by fraud and perjury to rob an honest and an intelligent people of their hard earnings. Behold this gang, Hoover, Satterwhite, Berry and Co. Hoover, the deposed Judge, set aside for his baseness in office; Satterwhite, the fellow who came from afar to work the "utility" in the cause of Justice; Berry, the land shark who owns and controls the Record-E Epitaph—but gentlemen, if imagination can permit you to do so, call the *Daily Tombstone* on your telegraph and like a electric brand will lightning move and unmove your neurons; it will also surely assist the people's interest in this matter, and witness to it that you will be certain to obtain the desired criminal justice will be meted out to you. So stand firm under Messrs. Hoover, Berry & Co. for the timber is falling fast from above. We have a man on the bench of our County Court who will stand like a wall of iron between your morality and the people's interests. So beware, of the retribution that always overtakes the guilty. Time in its regular rounds makes all things equal.

**SATTERWHITE.**

**Mammouth Notes.**

From an oil prospector who has just returned to Tombstone from Mammoth City, on the San Pedro, we learn that the oil there is running 30 stamp and 20 more are now being added. The mill has room and machinery for 80 stamps. There are 25 men employed at the mine and at the mill. The mine is three miles from the mill and is producing a large amount of free milling gold ore, that averages \$15 to \$40 per ton. The mine has attained a depth of 200 feet and has one 100-foot level and one at 200 feet. In the northwest level at 100 feet, which runs into the hill, they have large bodies of ore that is 15 or 20 feet in width and a 15 foot slope. They are taking from 50 to 60 tons of ore per day from this slope. The 200 foot level shows a body of ore equally as good if not better than that on the 100-foot level. The northeast extension of the mine is called the Mohawk, and shows equally as well as the Mammoth. The mill is one of the finest structures in Arizona and is lighted with electric lights. It is owned by a Michigan company and is a bonanza, and will soon rank with the leading mines in the Territory. It is just about smooth since the stamps began to drop, and the mine has yielded \$15,530.42 in gold bullion in that time. This mine is situated on the San Pedro river, about 90 miles from Tombstone.

**CHIEF COYLE:**—DEAR SIR.—We write you these few lines, hoping that you will not perceive us any further. We can't pay our license, if we are compelled to have our blinds down and our doors closed. If some of these girls have violated the law, we should not all have to suffer. You have much power, but we hope you will use it in a proper way. We don't wish to test our rights, but if something is not done by you, to let us make a living, we will have to do something else. Now I ask you as the Chief of Police to look at our condition; by you mistreating us will not do you any good, and we have to suffer.

You will please take notice of this as our request, and we will be under many obligations.

### SHORT BITS

#### THAT ARE ENCOUNTERED EVERY DAY

By our Very Efficient Corps of Reporters who are Always on the Spot

#### When anything Occurs that is of Interest To Our Readers

The demand for the celebrated New Orleans cigar being so great, Ashmun & Walker have just received a new supply.

The *Daily Tombstone* is the most popular paper in Cochise county, honest and fearless. This is the verdict of the people.

The beer in this city has commenced with renewed vigor. Messrs. Clegg & Wehr having just received a car load of Lem's beer direct from St. Louis.

In the case of the U. S. vs. A. T. Jones and others, a grand jury, which is countenanced by the court, announced to day, after all the evidence was in, that he would take the case under advisement until tomorrow morning at 10 o'clock. We suppose that this is done for time, as he announced yesterday that Sweet Violets pulled the strings and he had to jump when they were pulled, and it is the witnesses were produced by the defense it would have no effect upon him, as his mind was made up, and could not be changed.

About a week or two ago Cal Finch, of Benson, was married to Mrs. Kate Lovel, and immediately started for Tucson, leaving clearing his friends out of a good time that they had prepared. But Justice was destined to overtake him, and day before yesterday his old partner, W. W. Baldwin, who had been summoned to Tucson as a grand juror reported the case to that body, who after carefully examining the evidence, had the couple brought before them, and the gentleman was heavily fined, and the people of Benson are once more happy.

Our citizens can judge of what an effective policy that of that old scoundrel Crook's is, from the judgment telegram which we received just before going to press:

BENSON, A. T., Sept. 30, 1885.

**EDWARD DAILY TOMBSTONE:**—To-day at noon, while on the west-bound train, about four miles west of Cochise station, near Dragoon Pass, the passengers were treated to a sight of fourteen Apache Indians. They were all mounted and riding in great haste in the direction of the San Carlos reservation.

CHARLIE WASHBURN.

The gentleman who signed the above was a former telegraph operator in this city, and is well known to our citizens as a reliable and trustworthy man, and as such we can vouch for the truthfulness of the dispatch.

The pilgrim, a good old man, made a mess of himself again this morning. He went and alighted himself in front of the Oriental hotel and proceeded to tell the editor of this moral family journal a farce and a scurrilous story. The storekeeper happened to show up about the time, the money man that is, a son of his hide on Fourth street at least as his misshapen legs could carry him. He was at the right here, for the benefit of this old warr, that when he has anything to say in regard to us, that we are always at home in our offices on Allen street, between Third and Fourth, and will be pleased to have him come and give us his opinion of what we are or are not. What we have stated in regard to this creature, whom no decent man in town would touch with a pair of tongs, we can prove, and will prove it without resorting to the code of honor which prevails in Mississippi, which this scoundrel old ass is so fond of stating he will resort to if we do not let him alone.

The Judge then proceeds to quote the opinions of eminent jurists, including that of Chief Justice Taney in the celebrated Dred Scott case, which is given at length, and all which seem to impress him with an idea that the act is unconstitutional with, justify an inferior or state trial court in deciding it unconstitutional.

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At this point Judge Gregg says:

I am not therefore so entirely satisfied,

### Indian News.

From Major Strauss who arrived in this city last evening from Guadalupe Canyon where he is keeping a salter store, we learn that on Sunday last a band of 20 Indians camped within four miles of where the troops are stationed and the next day Major Davis, of the 4th Cavalry, camped upon the same spot with 173 scouts. Davis immediately took up the trail. Capt. Dorst of Iron K. is also on the trail. When word was brought to the station of the near proximity of the Indians, Sergeant Erickson with eleven men immediately started in pursuit, and it is thought by Mr. Strauss that they may have overtaken the renegades as it is as they only had a short time the start. Mr. Strauss states that he never saw men more anxious to fight Indians, than are the soldiers stationed at that point, but as they are encumbered by baggage and pack trains they cannot travel as fast as the Indians and they cannot start without orders. The fact that the Indians have caused within four miles of the headquarters goes to show that the Indian scouts are very poor trash and in our minds we firmly believe that the scouts know of their whereabouts at all times, and provide them with ammunition. The fact that they could go upon the reservation and recover two squaws who had been captured, is conclusive proof that the reservation Indians, scouts and Indians are all in cahoots together, and is another proof that Crook's policy is a most unmerciful one.

### IS THE ACT LEGAL?

#### Opinion of Judge Gregg on the Question of Trial by Information.

The following are the salient points of the opinion rendered on the 29th inst. by Hon. F. W. Gregg, Judge of the Pima County Court, in the case of the Territory vs. Tristad Padilla, charged upon information with the crime of grand larceny.

The defendant is awaiting trial upon an information filed against him by the District Attorney, accusing him of the crime of grand larceny. He moves to quash the information upon the ground that an information cannot legally be substituted for an indictment by a grand jury in the proceeding against him. He relies upon the 14th amendment to the constitution of the United States, which is as follows:

No person shall be held to answer for a capital or otherwise infamous crime unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war and public danger, nor shall any person be subject to the same offense to be twice put in jeopardy of life or liberty; nor shall he be compelled in any criminal case to be a witness against himself, nor be deprived of life, or liberty, or property without due process of law, nor shall any person be deprived of the right to collect any sum or value due to him, without a trial by his peers.

The issue then is the validity of the Information Act.

No question can arise before any court of a more delicate nature than the validity of the act in question. The Legislature Assembly of Arizona is the highest legislative authority which operates within our territorial limits. It has, under the internal, generous laws of Congress concerning territories, as much or more freedom in legislating, and as much or more power of legislation as has the legislature of any State in the Union. No State constitution limits its powers. Its acts are lawful, and so long as they are not in conflict with the constitution of the United States, or to the laws of Congress.

It is, however, the duty of the courts to declare its acts invalid, when they are so beyond a reasonable doubt. No mere belief, nothing but a positive and overwhelming conviction that a law is unconstitutional will justify an inferior or state trial court in deciding it unconstitutional.

The Judge then proceeds to quote the opinions of eminent jurists, including that of Chief Justice Taney in the celebrated Dred Scott case, which is given at length, and all which seem to impress him with an idea that the act is unconstitutional with, justify an inferior or state trial court in deciding it unconstitutional.

At this point Judge Gregg says:

I am not therefore so entirely satisfied, beyond a reasonable doubt of the invalidity of the act, a judge should be before deciding an act to be unconstitutional, and the authority is absolute that a court, and particularly a nisi prius court, should sustain a legislative enactment, when not satisfied beyond a reasonable doubt of its invalidity.

In denying the motion Judge Gregg added:

It seems to me, however, from the opinions expressed in the authorities which I have cited, that there is such a strong reason to believe this act to be invalid, that there should be but few persons who would sustain it in a court of law.

to the Supreme Court of the Territory her passed upon the act.

### A Perfect Washing Machine.

Among the foremost articles of real utility that have attracted the attention of those who have seen the combination wash invented by H. H. Tuttle. Its merits have elicited commendation from every one who has stopped to examine it at the stand on the main thoroughfare. It is displayed. The manufacturers, John Lee & Co., of 56 Main street, claim that it is superior to all other washing machines, and judging by the number of Tuttle washers they are displaying at the fair, it appears to be well grounded.

The substantial appearance of large sales, however, merely corroborates the evidence of superiority furnished by a comparison of this machine with others of different make. It is the latest and consequently the most improved labor-saving contrivance of its kind, the patent for it having been received on the 26th Inst. So quick were agents to perceive its unmistakable excellence, that already the right to handle it in eighteen counties of California has been secured, and applications for unclaimed territory in the United States are constantly reaching Mr. Tuttle. In the machine are contained simplicity of operation and durability of construction. Some of the reasons why it is a blessing to housewives and others are that it saves an immense amount of work, as well as soap and water, can be worked by a child 10 years old, and makes the clothes comes without wear or tear. It washes, steams and bleaches at the same time, and does not color cloth or shrink woolens. A circular describing the washer will be sent to any one requesting it. Parties wishing to purchase can test it free of cost.—S. F. Christensen.

For the first bound of imported wines liquors and cigars, the Pony saloon takes the cake. Tom Jones is always glad to meet his friends, and you may depend on receiving the finest kind of treatment.

Fresh eggs always at hand at the Cash Store of Walcott & Master.

### Not Dead.

SIERRA MADRES, August 27th  
MESSRS. CAESAR AND WERBZITZ,  
seen by late copies of the *Tombstone*,  
that I was reported seriously wounded.  
These reports are not correct, as I am not  
wounded nor am I dead, but still you  
send me a consignment of that ice cold  
Anheuser beer, that are selling to the  
people of Tombstone. I only wish I was  
there to have it drawn from the patent  
German fountain.

GEROMING.

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NOTICE.

An important meeting of the Tombstone Stock Growers Association will be held in Tombstone Saturday, October 3d, 1885, at 1 o'clock p.m. This being the last quarterly meeting of the year a election of officers will be held, all members and interested cattle men of Cochise County are earnestly requested to attend. Members will please bring a drawing of their brands and ear marks to be inscribed in a stock pocket book which will be completed for publication at this meeting.

C. S. ANOTT, President.

F. HERRERA, Secretary.

Strayed or Stolen.

From back of Bluestock works, on mesa, 1  
big dog, 16 hands high, 2 white hind  
feet, tan in neck, tan on lip W, with wavy  
tail, also W with wavy under on shoulder.  
By having same at Fashion stable will be  
liberally rewarded.

### Dissolution Notice.

The Firm of *Fitzgerald & Mansfield grocers*,  
has this day been dissolved by mutual  
consent. J. C. Fitzgerald, returning from a  
long business trip abroad, was conducted by  
R. H. Mansfield in his office. All persons owing  
and holding with said Mansfield who  
now has the right to collect, and all persons  
having claims against said firm will  
present them to said Mansfield.

J. C. FITZGERALD.

R. H. MANSFIELD.